

REMARKS

The above-referenced Office Action has been carefully reviewed and reconsideration thereof is respectfully requested.

Claims 1-3, 8, 13-15, and 18-20 have been objected to, the Examiner asserting that the term “other structural lenses” renders those claims to be indefinite. Applicant respectfully traverses this ground of objection in view of the above amendments to those claims. Those claims have now been amended to more particularly point out and distinctly claim the term “other structural lenses of like type”. As now read, those claims now state that “other structural lenses of like type” refers to structural members of the type that are similar to load-bearing glass pavers or structural plank glass elements.

The objections to other claims have been taken care of by the above amendments to those claims.

Claims 1, 2, 4-6, 13, 14, and 20 have been rejected under 35 USC 102(b) as being anticipated by Williams. Applicant respectfully traverses this ground of rejection in view of the above amendments and the following remarks.

Applicant’s base Claims 1 and 13 has been amended to more particularly point out and distinctly claim that Applicant’s structural members are horizontally disposed and that the illumination sources direct the light therefrom upwardly through the structural members. Williams, on the other hand, directs light sideways through lenses. “For a prior art reference to anticipate in terms of 35 USC 102, every element of the claimed invention must be identically shown in a single reference.” Diversitech v. Century Steps Inc., 7 USPQ2d 1315, 1317 (CAFC 1988). It is respectfully submitted that Williams fails this test as to Claims 1 and 13.

As to Claims 2 and 14, those claims have been amended to more particularly point out and distinctly claim that the interior of the support pan is permanently sealed. Support for this amendment is found, for example, from inspection of Figure 2 and the

accompanying text. Williams provides screws so that his light bulbs may be changed. See, for example, Figure 2 of Williams.

As to Claims 4 and 5, there is nothing in Williams that indicates that the "bricks" of Williams may be disposed in a non-linear manner.

As to Claim 6, that claim has been amended to more particularly point out and distinctly claim that the support pan of Applicant's invention is arcuate. Support for this amendment is found, for example, from inspection of Figure 11 and the accompanying text.

As to Claim 20, that claim has been amended to cancel "blinking illumination sources".

Claim 8 has been rejected under 35 USC 103(a) as being unpatentable over Williams in view of L. B. McEwing et al. Applicant respectfully traverses this ground of rejection and incorporates here the above remarks with respect to Williams.

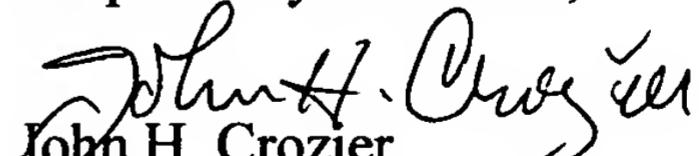
It is respectfully submitted that the combination of references fails to meet the limitations of Applicant's claimed invention.

In view of the above amendments and remarks, it is respectfully submitted that the claims in the application, Claims 1-20, are allowable, and early action in that regard is respectfully requested.

Should the Examiner have any questions as to the allowability of the claims or have any suggestions with respect to the wording thereof, the undersigned would be grateful for the privilege of a telephone conference with the Examiner.

Date: October 27, 2005.

Respectfully submitted,


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AMENDMENT
S/N 10/614,383

PATENT
148-109

AMENDMENT TO THE DRAWING

None.